

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Randall L. Tucker
 FOR : **BIO-PASSAGE FOR DISRUPTING LAMINAR FLOW**
 SERIAL NO. : 10/567,724
 INTERNATIONAL APPLICATION NO. : PCT/US2004/025634
 INTERNATIONAL FILING DATE : 09 August 2004
 CONFIRMATION NO. : 4016
 ATTORNEY DOCKET NO. : RLTZ 2 00014

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)

MAIL STOP PCT – DO/EO/US
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Notification of Missing Requirements Under 35 U.S.C. 371 in the U.S. Designated/Elected Office mailed July 27, 2006 on the above-captioned patent application, a "Declaration and Power of Attorney for Utility or Design Patent Application (37 CFR 1.63)" is enclosed, as well as the return copy of the Notification. The enclosed Declaration has been duly executed by the inventor named in the original filing papers. The \$65.00 fee in payment of the surcharge required under 37 CFR 1.492(h) for filing the Declaration later than the filing date of the application is authorized to be charged to a credit card. The appropriate form PTO-2038 is enclosed for this

| CERTIFICATE OF MAILING | |
|--|--|
| I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) are being deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop PCT – DO/EO/US, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below. | |
| September 19, 2006 Date | Mary M. Schriner By: Mary M. Schriner |

purpose. If the credit card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

The foregoing submissions are believed to meet the requirements of the Notification of Missing Requirements, and the applicant awaits further action on the application from the Patent and Trademark Office.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

19 September 2006
Date

Timothy E. Nauman
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FAY, SHARPE, FAGAN,

MINNICH & MCKEE, LLP

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|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|

10/567,724

Randall L. Tucker

RLTZ 2 00014

INTERNATIONAL APPLICATION NO.

PCT/US04/25634

I.A. FILING DATE

08/09/2004

PRIORITY DATE

08/08/2003

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Cleveland, OH 44114-2579

CONFIRMATION NO. 4016
371 FORMALITIES LETTER



OC000000019768999

Date Mailed: 07/27/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/08/2006
- Copy of the International Search Report filed on 02/08/2006
- Preliminary Amendments filed on 02/08/2006
- Information Disclosure Statements filed on 02/08/2006
- Request for Immediate Examination filed on 02/08/2006
- U.S. Basic National Fees filed on 02/08/2006
- Priority Documents filed on 02/08/2006

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The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

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On: 8/3/06 By: Pat J.
DOCKETED

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/567,724 | PCT/US04/25634 | RLTZ 2 00014 |

FORM PCT/DO/EO/905 (371 Formalities Notice)